

No. PD-0715-17  
TO THE COURT OF CRIMINAL APPEALS

JOSEPH SMITH  
APPELLANT

FILED  
COURT OF CRIMINAL APPEALS  
3/13/2018  
DEANA WILLIAMSON, CLERK

From the Fourteenth Court of Appeals, No. 14-15-00502-  
CR, Affirming Cause No. 1336966, from the 228<sup>th</sup> District  
Court, Harris County, Texas.

V.

THE STATE OF TEXAS  
APPELLEE

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**Appellant's Motion To Extend Time  
To File Brief on the Merits**

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TO THE HONORABLE JUDGES OF THE COURT OF CRIMINAL APPEALS:

COMES NOW, JOSEPH SMITH, and files this his Motion to Extend Time to File Brief on the Merits, and in support thereof, would respectfully show the Court the following:

I.

On December 13<sup>th</sup>, 2017 this Court granted the appellant's pro se petition for discretionary review. Counsel was appointed on February 7, 2018. Appellant's brief is due March 14, 2018. Counsel has not filed any previous motions for extension.

II.

Counsel requests this extension due to the fact that counsel is trying to collaborate with her client who has successfully represented himself pro se. Such collaboration relies on the US Postal Service since the appellant is in prison. This is a time-consuming process. Additionally, counsel for appellant requests this extension as she has been engaged in work in the Harris County Public Defender's Office on many cases and projects

including the following:

- *Suzanne Wexler v. State*, #1513928
- *Arnesia Washington v. State*, 14-17-00409-CR
- *Robert Moore v. State*, 14-17-00259-CR
- *State v. Esteban Gomez*, #1550753
- Counsel has been covering bail hearings inside the jail, representing dozens of clients, and staffing the hearings for up to 20 hours per week.
- Counsel has been researching and writing for several trial cases assigned to the Public Defender's Office Trial Division.
- Due to the extraordinary damage sustained during Hurricane Harvey, the Public Defender's Office has been relocated to a small space with limited resources and without private offices, making research and writing very difficult.

### III.

Appellant's attorney requests this extension which is necessary so that the brief can be thoroughly written and timely filed. This motion is not made for the purpose of delay.

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PRAYER

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WHEREFORE, PREMISES CONSIDERED, Appellant prays that this Honorable Court grants this requested extension of time to file the appellant's brief on the merits in the above cause and extend the time for filing for 30 days, to April 13, 2018.

Respectfully submitted,

ALEXANDER BUNIN  
Chief Public Defender  
Harris County, Texas

/s/Sarah V. Wood  
SARAH V. WOOD  
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Attorney for Appellant

CERTIFICATE OF SERVICE

By my signature below, I hereby certify that a true and correct copy of the above and foregoing Appellant's Motion to Extend Time to File Brief on the Merits has been served on the District Attorney of Harris County, Texas, and the State Prosecuting Attorney by electronic delivery through the efile system.

/s/Sarah V. Wood  
Sarah V. Wood